

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/4/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HANOVER INSURANCE COMPANY, as subrogor of
Joseph P. Day Realty Corp.

Plaintiff,

-against-

NY FIRETECH, INC., and NY FIRE, LLC,

Defendants.

1:21-cv-2728-MKV

ORDER

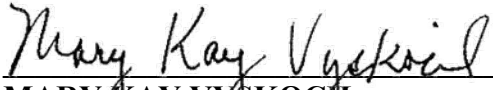
MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on March 3, 2021. [ECF No. 1]. Both affidavit of service of summons and complaint were filed on the docket on May 7, 2021. [ECF Nos. 9, 10]. According to that summons, Defendants' responses to the complaint were due on April 27, 2021 for Defendant NY FireTech, Inc., and May 7, 2021 for Defendant NY Fire, LLC. [ECF Nos. 5, 6]. On July 1, 2021, the Court issued an order extending Defendants' time to answer or respond to the complaint to on or before August 2, 2021. [ECF No. 12]. On July 28, the Court granted a second extension of time to answer or respond to the complaint to on or before September 2, 2021. [ECF No. 14]. Since that time, no responses have been filed and Plaintiff has not prosecuted this case to date.

Accordingly, IT IS HEREBY ORDERED that any motion for entry of a default judgment shall be filed by October 18, 2021. Plaintiff is directed to follow the procedures applicable to default judgments under the Court's Individual Rules and Practices for Civil Cases, available at the Court's website. Failure to move for a default judgment by October 18, 2021 may result in dismissal of this action for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

SO ORDERED.

Date: October 4, 2021
New York, NY



MARY KAY VYSKOČIL
United States District Judge